

QUIN DENVIR, Bar #49374
Federal Defender
MARK J. REICHEL, Bar #155034
Assistant Federal Defender
801 I Street, 3rd Floor
Sacramento, California 95814
Telephone: (916) 498-5700

Attorney for Defendant
MIGUEL ANGEL SANCHEZ

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	
)	Case No. CR.S-04-381-FCD
Plaintiff,)	
)	
v.)	STIPULATION AND ORDER FOR
)	CONTINUANCE TO ALLOW PREPARATION
)	OF A PRE-PLEA REPORT AND
)	RECOMMENDATION; ORDER ON
MIGUEL ANGEL SANCHEZ, et al.,)	EXCLUSION OF TIME
)	
Defendant.)	

Date: June 20, 2005

Time: 9:30 a.m.

Judge: Honorable Frank C. Damrell

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, SAMUEL WONG, Assistant United States Attorney, attorney for Plaintiff, MARK J. REICHEL, CHRIS HAYDEN-MAYER, ESQ., JESSE ORTIZ, ESQ., attorneys for defendants Miguel Angel Sanchez, Ricardo Salas, Oscar Canizales, that the previously scheduled change of plea hearing date of June 20, 2005 be vacated and the matter set for change of plea on August 1, 2005 at 9:30 am.

This continuance is requested because all defense counsel need additional time to review discovery with the defendants, conduct legal research, perform background factual investigation, and properly

Stip and Order

1 prepare for a potential change of plea.

2 Additionally, the continuance is requested as all defense counsel
3 desire to make arrangements for the probation department to prepare a
4 pre plea report and recommendation in connection with this case.

5 Accordingly, all counsel and the defendants agree that time under
6 the Speedy Trial Act from the date this stipulation is lodged, through
7 August 1, 2005, should be excluded in computing the time within which
8 trial must commence under the Speedy Trial Act, pursuant to Title 18
9 U.S.C. § 3161 (H) (8) (B) (iv) and Local Code T4. Additionally, there is
10 a motion pending in the magistrate court which is scheduled for August
11 17, 2005, so time will be excluded under Local Code E up until that
12 time as well.

13 DATED: June 16, 2005.

Respectfully submitted,

14 QUIN DENVIR
15 Federal Public Defender

16 DATED: June 16, 2005.

17 /s/MARK J. REICHEL
18 MARK J. REICHEL
19 Assistant Federal Defender
20 Attorney for Defendant

21 /s/MARK J. REICHEL
22 CHRISTOPHER HAYDEN MEYER, ESQ
23 Attorney for Defendant

24 /s/MARK J. REICHEL
25 JESSE ORTIZ, ESQ
26 Attorney for Defendant
27
28

McGREGOR SCOTT
United States Attorney

DATED: June 16, 2005.

/s/MARK J. REICHEL for
SAMUEL WONG
Assistant U.S. Attorney
Attorney for Plaintiff

O R D E R

The change of plea hearing date of June 20, 2005 is vacated and the reset to August 1, 2005 at 9:30 am. The court finds that the interests of justice in granting the continuance outweighs the public's interest in a speedy trial and therefore time from today's date through August 1, 2005 is excluded in the interests of justice pursuant to 18 U.S.C. § 3161 (H) (8) (B) (iv) and Local Code T4 and Local Code E for the reasons stated in the parties stipulation including time for the probation department to prepare pre-plea reports.

IT IS SO ORDERED.

DATED: June 16, 2005

/s/ Frank C. Damrell Jr.
FRANK C. DAMRELL, JR.
United States DISTRICT JUDGE